

Claims 1-12 are presented for examination, of which Claims 1 and 7 are in independent form. Claims 13-18 have been withdrawn from consideration. Favorable reconsideration is requested.

Claims 1-12 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,311,011 to Kuroda¹. After a careful study of the prior art and the Office Action, Applicant finds himself unable to agree with the propriety of the outstanding rejections, for at least the reasons set forth below.

As an initial matter, the undersigned attorney notes the telephone conference conducted on October 12, 2005 with Examiner Jamie J. Vent, to which this case has been transferred. During the telephone conference the undersigned attorney expressed the Applicant's firm belief that the pending claims are patentable over Kuroda. Examiner Vent stated that, after consultation with her supervisor, it has been agreed that the case will be examined again and that any next action, if it is not a Notice of Allowance, will be made non-final. The undersigned attorney sincerely thanks Examiner Vent for the telephone interview.

Claim 1 is directed to a television signal receiver connected to multiple recording apparatuses that record program data. The television signal receiver includes an input unit adapted to receive the program data, an identification unit adapted to identify an appropriate group to which the program data belongs, a selection unit adapted to select the appropriate recording apparatus from among the plurality of apparatuses based on the identified group, and an output unit to output the program data to the selected recording apparatus.

¹ Applicant notes that Kuroda is prior art only under Section 102(e).

One notable feature of the receiver of Claim 1 is selecting an appropriate recording apparatus from a plurality of recording apparatuses based on an identified appropriate group to which the program data belongs. By virtue of the claimed features, the group could be, for example, a genre. Applicant has found nothing in Kuroda that would teach or suggest this feature.

Kuroda, as understood by Applicant, relates to a device for recording video signals and a device for displaying an electronic program guide. Page 3 of the Office Action states, regarding Kuroda: “A selection unit to select a recording apparatuses from a plurality of recording apparatuses is shown in fig.3 where the user can select a storage device and based on the capacity of the device the program will be recorded to that device or be directed to another device (col. 5 ll.25-67)”. Therefore, Kuroda merely discusses selecting a recording media by referring to the capacity of the recording time in each recording media (see also Fig. 5 of that patent).

First, in Kuroda, *the viewer* selects one of the storage devices (see column 5, lines 26-34, and Fig. 5). On the contrary, in Claim 1 the *selection unit* selects the appropriate recording apparatus based on identified properties of program data.

Second, the cited portion of Kuroda, or indeed any portion thereof, does not teach or suggest selecting an appropriate recording apparatus from a plurality of recording apparatuses *based on an identified appropriate group to which the program data belongs*, as recited in Claim 1.

Even if Kuroda is deemed to teach all it is cited for in the Office Action, at

most Kuroda would merely discuss selecting a storage device *by a viewer*, and *based on the capacity of the device* recording a program to that device, or to another device if the user so desires. (See col. 5, lines 25-67, of that patent.)

In particular, in Kuroda, at STEP S104 of Fig. 3 a capacity for storing contents is calculated. The video recorder/player compares the calculated capacity at STEP S104 with the remaining capacity of the storage device selected by the user at STEP S106 (STEP S107). If the remaining capacity is larger than the calculated one, then STEP S108 follows, and the video recorder/player starts recording to the selected storage. If the remaining capacity is not larger than the calculated one, STEP S111 follows, and a dialog of Fig. 6 warns that the storage device selected at STEP S106 does not have sufficient capacity for recording the contents and allows the viewer a choice to select another storage device or to record the storage device selected at STEP S106 (STEP S111).

In this way, Kuroda merely discusses that a user can select a storage device and based on the capacity of the device the program will be recorded to that device or be directed to another device.

Further, page 2 of the Office Action states:

Applicant states that Kuroda does not show a recording apparatus being selected based upon an identified group to which it belongs. Kuroda shows that the user can select a recording apparatus based upon the type of programming and have the information recorded on the chosen apparatus.

The Office Action points to no portion of Kuroda that would teach these features. If this rejection is maintained, Applicant respectfully requests the Examiner to

specifically point out where in Kuroda these features are taught.

Applicant submits that nothing has been found, or pointed out, in *Kuroda* that would teach or even suggest selecting an appropriate recording apparatus from a plurality of recording apparatuses based on an identified appropriate group to which the program data belongs, as recited in Claim 1.

For at least these reasons, Applicant firmly believes that Claim 1 is clearly allowable over Kuroda.

Independent Claim 7 is a method claim corresponding to apparatus Claim 1, and is believed also to be allowable for the reasons discussed above in connection with Claim 1.

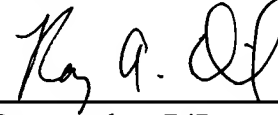
A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ray A. DiPerna", written over a horizontal line.

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